

## **REMARKS**

By the *Office Action* of 28 July 2005, Claims 1-9, 13 and 14 are pending in the Application, and Claims 1-9 are rejected and Claims 13 and 14 are allowed. By the present *Response and Amendment*, Applicants amend Claim 1 to better clarify the invention, provide certified copies of the priority documents (including translations), and present several distinguishing features between the Claims and the cited references, and, in so doing, believes the rejection of the Claims in view of the cited art is overcome.

### **1. Priority Documents**

Examiner has acknowledged Applicants' claim for foreign priority based on Japanese Patent Applications No. 2003-087874 and 2004-080632 filed with the Japan Patent Office on 27 March 2003 and 19 March 2004, respectively. Examiner, however, has noted that none of the certified copies of the priority documents have been received by the United States Patent Office (USPTO). In response, Applicants enclose certified copies of the Japanese Patent Applications No. 2003-087874 and 2004-080632, translations of the Japanese Patent Applications, and a statement verifying that the translations of the certified copies of the Japanese Patent Applications are accurate. The translations and statement of accuracy are provided as the Japanese Patent Applications will be used, as described below, to overcome the effective date of two cited references.

### **2. Allowance of Claims**

The Applicants gratefully acknowledge the Examiner's allowance of claims 13 and 14.

### **3. Claim Rejections**

Claims 1, 8 and 9 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application No. 2005/0143189 to Lai et al. Further, Claims 1, 5, 8, and 9 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,716,110 to Ballow et al. Applicants respectfully traverse the rejections, because the filing dates of Lai et al. and Ballow et al. occurred after the priority date of the present application. More specifically, Lai et al. and Ballow et al. are not proper § 102(e) references as their corresponding filing dates postdate the

present application's priority date of 27 March 2003. Applicants, therefore, respectfully submit that the rejections have been overcome.

Claims 1, 2, 8, and 9 are rejected under 35 U.S.C § 102(b) as being anticipated by U.S. Patent No. 5,624,331 to Lo et al. Applicants respectfully traverse the rejection, because, as described below, Lo et al. does not anticipate, teach, or suggest the present invention as amended.

Applicants' invention is directed to the disadvantages of metal wood-style golf club heads having openings in the crown. Prior to the present invention, golf club heads were manufactured with larger volumes, resulting in a golf club head with a higher center of gravity. Such a high center of gravity of the club inhibits the distance of the ball flight. Accordingly, various attempts have been made to set the center of gravity of the golf club head lower, so that it may project the ball higher and increase the distance of the ball flight. By removing the portions of the top of the crown, weight can be added to the bottom of the club head, thereby, lowering the center of gravity to a desired level.

Unfortunately, golf club heads having substantial openings in the crown are susceptible to decreased strength, especially on the upper part of the face portion of the golf club head. Accordingly, hitting the face portion of the golf club head may cause the face portion to deform or flex inwardly when impacting with a golf ball. Flexing of the face portion wastes precious energy that could otherwise be transferred to the golf ball. Further, the crown portion of these golf club heads comprise no reinforcement to prevent undesirable cracking of the crown portion and, therefore, result in an undesirable sound and/or feel during use.

The Applicants' invention provides reinforcement to the crown portion of the golf club head, such that cracking of the crown portion of the golf club head is minimized, while resulting in a more desirable sound and/or feel during use of the golf club. Additionally, the reinforcement of the crown portion minimizes the flexing of the face portion during impact with a golf ball, thereby increasing the amount of energy transferred to the golf ball.

Lo et al. discloses a composite-metal wood-style golf club head having a metal casing with at least two openings in the crown in which composite covers are disposed. (See Abstract). A portion of the metal casing between at least two composite covers defines a bar-shaped stiffener that *extends from the face to the back* of the golf club head. (See Col. 2, lns. 20-22 and Figs. 1, 2, and 5) (emphasis added). Further, Lo et al. discloses multiple composite covers

shaped to fit the correspondingly shaped openings in the metal casing on the crown of the golf club head. (See Col. 2, Ins. 53-59 and Figs. 1, 2, 3, and 5). As noted by the Examiner, Lo et al. does not disclose a crown part (or a composite cover) being of one unitary piece. Moreover, the composite covers do not completely cover the bar-shaped stiffener (e.g., the support portion) of the crown. Conversely, the bar-shaped stiffener is visible even after the composite covers have been inserted into the crown of the golf club head. (See Figs. 1, 2, 3, and 5). In essence, the bar-shaped stiffener disclosed in Lo et al. is merely a portion of the top of the crown that was not removed during the forming of the plurality of openings on top of the crown.

With respect to Claim 1, Lo et al. does not disclose the golf club head as claimed in the present application. More specifically, Lo et al. does not disclose a support portion provided between openings of the crown and supporting a crown part, such that the support portion extends inwardly of the openings *from a placing portion*. Unlike the stiffener bar disclosed in Lo et al., the present invention includes a support portion that extends from a placing portion provided around the openings within the crown. Accordingly, the support portion of the present invention is offset from the face and back of the club head.

Further, Lo et al. does not disclose a crown part that is *supported by* the support portion. Indeed, the composite covers disclosed in Lo et al. are adjacent to the stiffener bar, but are not actually supported by the stiffener bar. Unlike the composite covers disclosed in Lo et al., the present invention provides a crown part that closes all the openings of the crown. As the support portion is provided between the openings, the crown part completely covers the support portion and, therefore, the crown part is supported by the support portion. In other words, Lo et al. does not disclose, teach, or suggest a cover part that is positioned over the support portion of the golf club head. Accordingly, Applicants respectfully submit that Lo et al. does not disclose each and every element of the present invention as claimed in Claims 1-9, as dependent Claims 2-9 all depend directly or indirectly from Claim 1.

Moreover, Applicants' invention is easier to manufacture as it requires only one crown part that covers the support portion. As the crown part of the present invention covers the support portion completely, it is unnecessary to fit the crown part into the club head so that the crown part aligns with the support portion of the club head as is required by the invention of Lo et al. Accordingly, the crown part of the present invention can be securely fitted to the club head. The multiple crown parts required by Lo et al. result in a loose fitting of the crown parts

around the support portion and, thus, cause undesirable movement of the crown parts during use of the golf club head. Also, the present invention provides better reinforcement of the club head body as it provides reinforcement of the body by a support portion *and* a crown portion over a majority of the top of the crown. The golf club body disclosed in Lo et al. only utilizes a support portion (stiffener) or a crown part for reinforcement at any given point on the crown (e.g., the stiffener only reinforces the center of the crown). Additionally, the present invention provides a lower center of gravity, because the support portion (which is heavier than the crown portion) is positioned beneath the crown portion. For the golf club head disclosed in Lo et al. the support portion (stiffener) and crown portion are positioned at the same level and, therefore, does not result in a lower center of gravity.

Claims 3, 4, 6, and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lo et al. Applicants respectfully traverse the rejection, because, as described below, Lo et al. does not render the present invention obvious. Claims 3, 4, 6, and 7 depend upon an independent claim, which for reasons stated above, is patentable over the cited references; therefore, it is submitted that Claims 3, 4, 6, and 7 are also patentable over the cited references. Applicants respectfully request that the rejection of Claims 3, 4, 6, and 7 be withdrawn.

Claims 1, 2, 8, and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lo et al. in view of U.S. Patent No. 5,839,975 to Lundberg. Applicants respectfully traverse the rejection, because Lo et al. in view of Lundberg does not render the present invention obvious. As described above, Claim 1 is patentable over the cited references, because the cited references do not disclose, teach, or suggest each and every element as recited in Claim 1. Further, Claims 2, 3, and 9 depend upon independent Claim 1, which for reasons stated above, is patentable over the cited references; therefore, it is submitted that Claims 2, 3, and 9 are also patentable over the cited references. Applicants respectfully request that the rejection of Claims 1, 2, 8, and 9 be withdrawn.

#### **4. Amendments**

Claim 1 has been amended to clarify the claimed subject matter of the present invention.

**5. Fees**

This *Response and Amendment* is being filed within six months of the *Office Action*, and more specifically within four months, thus a one month extension of time fee is included, with petition, in the amount of \$120.00.

There are no Claim fees believed due, as the total remaining Claims upon entrance of this *Response and Amendment After Final Rejection* is less than the amount filed with the original application.

Should any further fees be due, authorization to charge deposit account No. 20-1507 is hereby expressly given.

**CONCLUSION**

By the present *Response and Amendment*, the Application has been placed in full condition for allowance. Accordingly, Applicants respectfully request early and favorable action. Should the Examiner have any further questions or reservations, the Examiner is invited to telephone the undersigned Attorney at 404-885-3538.

Respectfully submitted,

A handwritten signature in black ink, reading "James A. Proffitt". The signature is written in a cursive, flowing style with a large initial "J".

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